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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 RIGOBERTO RODRIGUEZ-MACEDO,

11 Petitioner,

12 v.

13 JASON BENNETT,

14 Respondent.

CASE NO. 2:24-cv-00963-RSL-DWC

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

15 The Court, having reviewed the Report and Recommendation of Magistrate Judge David
16 W. Christel, objections to the Report and Recommendation, if any, and the remaining record,
17 does hereby find and ORDER:

- 18 (1) The Court adopts the Report and Recommendation.
- 19 (2) Petitioner's federal habeas Petition is dismissed without prejudice for failure to
exhaust as required by 28 U.S.C. § 2254(b)-(c).
- 20 (3) Petitioner's pending motions and requests are denied as moot.
- 21 (4) A certificate of appealability is denied in this case.

1 (5) The Clerk is directed to send copies of this Order to Petitioner and to the Hon.
2 David W. Christel.

3 **DATED** this 17th day of September, 2024.

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5 ROBERT S. LASNIK
6 United States District Judge